

**TENNESSEE BOARD OF DISPENSING OPTICIANS
MINUTES**

DATE: October 12, 2011

TIME: 9:00 a.m., CST

LOCATION: Health Related Boards Conference Center
Poplar Board Room
Heritage Place Metro Center
227 French Landing, Suite 150
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Kathy Hawkins, DPO, Chair
Larry Christopher, DPO, Secretary
Donald Wells, DPO
Kimberly Jackson, DPO
Edward Risby, PhD, Consumer Member

STAFF

PRESENT: Brian Sims, Assistant General Counsel
Elizabeth Miller, Director of Health Related Boards
Juanita Stone, Disciplinary Coordinator
Melody Spitznas, Board Administrator
Jason Hill, Board Administrator

Ms. Hawkins called the meeting to order at 9:20 a.m. A quorum was present.

Minutes

Mr. Christopher made a motion, seconded by Mr. Wells, to approve the July 13, 2011 minutes as amended. The motion carried. Mr. Christopher made a motion, seconded by Ms. Jackson, to correct the April 21, 2011 minutes by removing a reference on page two (2) to raising the apprenticeship annual renewal fee. There is no apprenticeship annual renewal fee. The motion carried.

Sam Cooper

Mr. Cooper addressed questions to the board about his wife, Dawn Cooper's application. Mrs. Cooper is a licensed dispensing optician in the state of New Jersey, and is interested in moving to Tennessee. The question was whether the Board would allow Mrs. Cooper to forgo taking the required examinations and transfer her license. The members of the Board all agreed that Mrs. Cooper would have to take all of the required examinations in order to practice in the State of Tennessee.

Roy R. Ferguson, PhD

Mr. Ferguson presented the results of the Tennessee Board of Dispensing Opticians Eyeglasses Practical Examination which was administered on July 18, 2011. There were 35 individuals registered to take the examination. On that day twenty-three (23) individuals passed, eleven (11) individuals failed, and one (1) individual did not take the exam. The overall pass rate was 67.6 %. Mr. Risby made a motion, seconded by Ms. Jackson to approve the exam report.

Sharanda Tamika Atwater

Ms. Atwater presented her concerns regarding her experience with Mr. Ferguson's company, The Learning Curve.

Office of General Counsel Report

The following Consent Orders were presented to the Board:

Consent Order for **Debra E. Connatser**, who failed to complete her 2009 continuing education. The Respondent was deficient one (1) hour of the required nine (9) continuing education hours for the 2009 calendar year. Ms. Connatser agreed to pay a one (1) hundred dollar (\$100) Type C civil penalty and to make up the deficient continuing education. Ms. Connatser has been registered as a dispensing optician since June 14, 1995. Mr. Christopher made a motion, seconded by Dr. Risby to approve the Consent Order. The motion carried.

Consent Order for **Felicia L. Hanson-Peay**, who failed to complete her 2009 continuing education. The Respondent was deficient one (1) hour of the required nine (9) continuing education hours for the 2009 calendar year. Ms. Hanson-Peay agreed to pay a one (1) hundred dollar (\$100) Type C civil penalty and to make up the deficient continuing education. Ms. Hanson-Peay has been registered as a dispensing optician since April 14, 1999. Mr. Christopher made a motion, seconded by Dr. Risby to approve the Consent Order. The motion carried.

Consent Order for **Christopher K. McWhorter**, who admitted that he obtained a blank prescription slip from a doctor's medical practice in order to obtain a price quote for new prescription pads. Instead, respondent used the blank prescription slip to forge the doctor's name and DEA number in an attempt to fraudulently obtain Percocet. Mr. McWhorter agreed to pay a one (1) thousand dollar (\$1,000) Type A civil penalty. Respondent agreed that his Tennessee Dispensing Optician License be placed on probation for a period of three (3) years. Mr. McWhorter has been registered as a dispensing optician since June 2, 1988. Mr. Christopher made a motion, seconded by Mr. Wells to approve the Consent Order. The motion carried.

Investigative Report

There are fourteen (14) open complaints. One (1) complaint is ready for review and thirteen (13) are being investigated.

Monitored Practitioner Report

There are currently five (5) individuals being monitored.

Financial Report

For FY 2011, as of March 30, 2011, the Board had direct expenditures of \$35,245.92 and total revenues of \$94,520. The indirect expenditures have not yet been calculated.

Administrative Report

There are 847 active licensed dispensing opticians, and 308 active apprentices. From July 7, 2011 to October 5, 2011, twenty-five (25) dispensing opticians and fifteen (15) apprentices were licensed. Also during that period one (1) license was retired, ten (10) licensees failed to renew, and 2 licensees died.

Newly Licensed

Mr. Wells made a motion, seconded by Mr. Christopher to approve the following dispensing opticians for licensure:

Robert Christopher Amonette
Melessa Ann Bland
Terry Daniel Boles
Krystal Lynn Donaldson
Kristen Camille Fraley
Michelle S. Franklin
Patrick Warren Grantham
Lisa Ann Hall
Emmitt Eugene Hayes
Kasey Leanne Jones
Kelli Alexander Keltch
Heather Marie Klatt
Davina Danielle McDaniel
Tiffany Diane McDaniel
Elizabeth Ann Mills
Chad Dwayne Nelson
Crystal Gail O'Quinn
Enrique Carlos Palacios
Sarah Lynn Shorter
Larry Dustin Smith
Sue Wilson Walker
Juanita Elaine Wingfield
Kenneth Lee Wormsley, Jr.

The motion carried.

Reinstatements

Ms. Jackson made a motion, seconded by Mr. Risby, to approve the following dispensing optician reinstatements:

Marcia M. Fisher
Sherry L. Nelson

The motion carried.

Application Review

The Board discussed whether managers could apply for apprenticeships. The concern of the Board was that it may be a conflict of interest to have a manager supervised by subordinate. The Board also discussed the consequences of several owners of independent stores who might also be forced to relinquish control of their shops to another individual. Mr. Sims addressed both sides of the equation and attempted to leave it to the Board to make a decision. The Board took no action.

Mr. Wells made a motion, seconded by Mr. Christopher to approve the following:

Apprenticeships

Jacqueline Marie Bullman
Lauren Barr Combs
Diane Denise Chavez
Joshua D. Demonbreum
Dana J. Doak
Marie Nicole Frye
Robert Hannah
Misty Dawn Harmon
Shannon Inman
Jessica Charlene Little
Karla Zoe Lopez
Phoebe N. Stallings
Kassandra Ann Vasquez
Rachel Lay Menietto
Courtney Deshun Avery
Alysha Rigdon

The motion carried.

Mr. Wells made a motion, seconded by Mr. Christopher to approve the following dispensing optician applicants to sit for the practical examination:

Leigh Ann Barnett
Jolanda K. Buchanan
Bramlett Lee Dyles
Lee Edmunds Hamilton
Antwan Louis Horton
Meagan Elizabeth Lay
Christopher Maurice Lonas
Russell Anthony Manier
Michael Raye Miller
Robert Matthew Parker
Tonya Denah Rice

The motion carried.

Continuing Education Requests for Approval

All continuing education requests were approved as submitted with the exception of two (2) hours covering Florida Rules and Law for the National Academy of Opticianry Seminar on September 17-18, 2011 in Ft. Lauderdale, FL.

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East Coast Optical Conference
Costco
October 11-13, 2011
Orlando, FL
6 ABO hours
4 NCLE hours

A Clear Perspective of Freedom
Cleiman Performance Partners
October 4, 2011
Knoxville, TN
1 hour

Embracing the Hidden Leader Within
Cleiman Performance Partners
October 4, 2011
Knoxville, TN
1 hour and 45 minutes

2011 TDOA Continuing Education
Tennessee Dispensing Opticians Association
November 13, 2011
Nashville, TN
4 ABO
4 NCLE

International Vision Expo & Conference
The Vision Council and Reed Elsevier
September 21-25, 2011
Las Vegas, NV
113 hours

TDOA Annual Convention: Ed DeGennaro
Tennessee Dispensing Opticians Association
June 25-26, 2011
4 hours

ABO-NCLE Conference
National Opticians Conference
Cincinnati, OH
September 8-11, 2011
100 hours

Southeastern Opticians Conference
July 22-24, 2011
Atlanta, GA
ABO and NCLE

National Academy of Opticianry
September 17-18, 2011
Ft. Lauderdale, FL
10 hours

Review Correspondence

Charles Towe (#2094): Mr. Towe requested that the 10 hours from SECO in 2011 be counted towards his 2010 hours. The Board agreed to allow Mr. Towe to use the 10 hours obtained in 2011 to count for his 2010 hours. Mr. Wells made a motion, seconded by Ms. Jackson to accept the 2011 continuing education hours for 2010 and to give him an extension to make up the missing hours. The motion carried.

With no other Board business to conduct, Dr. Risby made a motion, seconded by Mr. Christopher, to adjourn the meeting at 12:40 p.m. The motion carried.